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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,890	10/01/2001	Akira Yamaguchi	Q63866	3508

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 01/19/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,890

Applicant(s)

YAMAGUCHI, AKIRA

Examiner

Kimnhung Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Application has been examined. The claims 1-28 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-5, and 16-19 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Jingu (US patent 5,537,127).

Regarding claims 1, 19 and 25-26, Jingu discloses in figure 1, a medical image display system comprising a plurality of flat-panel displays (111a-112c); a casing for integrally accommodating said plurality of flat panel displays (see monitor units accommodated within a console body, see abstract); a power source common to said plurality of flat panel displays (see column 4, lines 49-59); and a control unit for controlling said plurality of flat displays (see figure 7, see drive means 120 is controlled monitor units 111 and 112, see column 8, lines 41-46). The control unit is incorporated in the casing (see remote control operation to expand or contract the stroke of the cylinder 116, see figure 7, column 8, lines 41-46).

Regarding claims 4-5, Jingu discloses wherein the control unit for controlling the plurality of flat panel (see figure 7) with a remote controller (see column 8, lines 41-46).

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Regarding claims 16-18, Jingu disclose the medical system comprising a medical diagnostic apparatus connected to the control unit (see column 1, lines 7-12, column 8, lines 39-46), and an inherent power source is disposed inside the casing, and the power source supplies driver power to each one of said plurality of flat panel displays (see column 7, lines 38-47).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6, 10-11, 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jingu (US patent 5,537,127) in view of Suzuki (US patent 6,344,836).

Jingu discloses in figure 1, a medical image display system comprising a plurality of flat panel displays (111a-112c); a casing for integrally accommodating said plurality of flat panel displays (see monitor units accommodated within a console body, see abstract); a power source common to said plurality of flat panel displays (see column 4, lines 49-59). However, Jingu does not disclose wherein the control unit has one function for moving an image displayed on each of said plurality of flat panel displays, the number of pixels, and for displaying the color image, and at least one of an image obtained by enlarging the display image, and wherein each of said plurality

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of flat panel displays is a liquid crystal display. Suzuki does disclose the control unit has one function for moving an image displayed on each of said plurality of flat panel displays (see function of moving cursor, see column 6, lines 21-30), the number of pixels (see column 5, lines 34-40), and for displaying the color image, and an inherent at least one of an image obtained by enlarging the display image, and wherein each of said plurality of flat panel displays is a liquid crystal display (see column 5, lines 63-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of function of moving cursor the number of pixels, and for displaying the color image and wherein each of said plurality of flat panel displays is a liquid crystal display as taught by Suzuki into the display system of Jingu because this would for providing the size of the drawing data to be displayed on the display (see column 5, lines 34-43).

5. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jingu (US patent 5,537,127) in view of Inbar (US patent 6,119,380).

Jingu discloses in figure 1, a medical image display system comprising a plurality of flat panel displays (111a-112c); a casing for integrally accommodating said plurality of flat panel displays (see monitor units accommodated within a console body, see abstract); a power source common to said plurality of flat panel displays (see column 4, lines 49-59). However, Jingu does not disclose that the plurality of flat panel displays has a holding unit for holding a medical film. Inbar discloses a medical X-ray transparencies comprising a like box (medical film), the transparencies constructed under a spring-load film-holder clips located along the top edge of the

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viewing surface (see column 1, lines 22-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the a medical X-ray transparencies comprising a like box (medical film), the transparencies constructed under a spring-load film-holder clips located along the top edge of the viewing surface as taught by Inbar into the system of Jingu because this would for holding the medical film more stable.

6. Claims 7, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jingu (US patent 5,537,127) in view of Yishida et al. (US patent 5,617,112).

Jingu discloses in figure 1, a medical image display system comprising a plurality of flat panel displays (111a-112c); a casing for integrally accommodating said plurality of flat panel displays (see monitor units accommodated within a console body, see abstract); a power source common to said plurality of flat panel displays (see column 4, lines 49-59). However, Jingu does not disclose that the image display system, wherein a display screen size in a diagonal line direction is 10 inches to 25 inches, a pixel size is 50 micrometers to 240 micrometers, the number of pixels is 600 pixels x 1600 pixels, and maximum luminance values of the flat panel.

From the claim 7, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have display screen size in a diagonal line direction is 10 inches to 25 inches, a pixel size is 50 micrometers to 240 micrometers, the number of pixels is 600 pixels x 1600 pixels as claimed since such a modification would have involved a mere change in the range of the system. A change in range is generally recognized as being within the level of ordinary skill in the art.

See In re Rose, 105 USPQ 237 (CCPA 1995) and

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See In re Raven, 156 USPQ 679 (CCPA).

Yoshida et al. disclose the maximum luminance values and the minimum values of the display control (see figure 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the maximum luminance values as taught by Yoshida et al. in the device of Suzuki because this would have an optimal value of brightness of the display device is determined to perform display brightness control.

7. Claims 13-14, 20-23 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jingu (US patent 5,537,127) in view of Berman et al. (US patent 6,448,956).

Jingu discloses in figure 1, a medical image display system comprising a plurality of flat panel displays (111a-112c); a casing for integrally accommodating said plurality of flat panel displays (see monitor units accommodated within a console body, see abstract); a power source common to said plurality of flat panel displays (see column 4, lines 49-59). However, Jingu does not disclose that the image display comprising an output is a hard copy and is a dry printer, and hard copy is a medical film. Berman et al. disclose a medical system having light boxes to view X-ray prints and could handle "hard" prints (hard copy or dry printer) in front of a light box (see column 1, lines 43-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using an input is hard copy is a dry printer as taught by Berman into the display system of Jingu because this would for directing image manipulation capabilities in the field of teleradiology and radiology (see column 1, lines 55-59).

Response To argument

8. Applicant's argument filed on 4-16-04 has been fully considered but they are not persuasive.

Applicant argues that Jingu does not teach that the medical image display system comprising a plurality of flat panel displays. However, examiner respectfully disagrees with the argument because Jingu discloses a plurality of CRT displays, which are kind of the flat panel displays. For these reasons, the rejections are maintained.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kimnhung Nguyen
January 14, 2005



**ALEXANDER EISEN
PRIMARY EXAMINER
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